

By



H. J. R. No. 39

A JOINT RESOLUTION

proposing a constitutional amendment to provide for six-person juries in civil cases.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article V, Section 13, of the Texas Constitution is amended to read as follows:

Sec. 13. (a) Grand juries and petit juries in criminal cases in the District Courts shall be composed of twelve persons [~~men~~]; but nine members of a grand jury shall be a quorum to transact business and present bills. In [~~trials-of-civil-cases,~~ and-in] trials of criminal cases below the grade of felony in the District Courts, nine members of the jury, concurring, may render a verdict, but when the verdict shall be rendered by less than the whole number, it shall be signed by every member of the jury concurring in it. When, pending the trial of any criminal case, one or more jurors not exceeding three, may die, or be disabled from sitting, the remainder of the jury shall have the power to render the verdict; provided, that the Legislature may change or modify the rule authorizing less than the whole number of the jury to render a verdict.

(b) The jury in a civil case in the District Courts shall consist of six persons. Five persons concurring may render a verdict. If a verdict is rendered by five persons, the five concurring jurors shall sign the verdict. If a juror dies or becomes disabled from sitting on the jury during the trial, the

1 remaining five jurors may render the verdict. The Legislature may  
2 change the rule authorizing five concurring persons to render a  
3 verdict to require the concurrence of all jurors.

4 SECTION 2. The following temporary provision is added to the  
5 Texas Constitution:

6 TEMPORARY PROVISION. (a) This temporary provision applies  
7 to the constitutional amendment proposed by the 71st Legislature,  
8 Regular Session, 1989, requiring that juries in district court  
9 civil cases be composed of six persons and expires September 2,  
10 1990.

11 (b) The constitutional amendment takes effect September 1,  
12 1990.

13 SECTION 3. This proposed constitutional amendment shall be  
14 submitted to the voters at an election to be held on November 7,  
15 1989. The ballot shall be printed to provide for voting for or  
16 against the proposition: "The constitutional amendment providing  
17 for six-person juries in district court civil cases."

H. J. R. No. 39

By Perry

HOUSE JOINT RESOLUTION

proposing a constitutional amendment to provide for  
six-person juries in civil cases.

JAN 19 1989

1. Filed with the Chief Clerk.

FEB 7 1989

2. Read first time and referred to Committee on

Judiciary

3. Reported favorably (as amended)  
(as substituted) and sent to Printer at

4. Printed and distributed at

5. Sent to Committee on Calendars at

6. Read second time (amended) and (finally) passed to Third Reading by a Record Vote  
of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was ordered  
engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_  
yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote  
of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was finally  
adopted prevailed (failed) by a (Non-Record Vote) Record Vote of \_\_\_\_\_  
yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

11. Ordered Engrossed at

12. Engrossed.

13. Returned to Chief Clerk at

14. Sent to the Senate.

Chief Clerk of the House

15. Received from the House

16. Read, referred to Committee on

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute  
read first time.

19. Ordered not printed.

20. Regular order of business suspended by

(a viva voce vote.)

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules  
suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

22. Read second time

passed to third reading by:  
(a viva voce vote.)

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 23. Caption ordered amended to conform to body of bill.

\_\_\_\_\_ 24. Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays to place bill on third reading and final passage.

\_\_\_\_\_ 25. Read third time and passed by  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION:

OTHER ACTION:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 26. Returned to the House.

\_\_\_\_\_ 27. Received from the Senate (with amendments.)  
(as substituted.)

\_\_\_\_\_ 28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(Substitute) Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 29. Conference Committee Ordered.

\_\_\_\_\_ 30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 31. Ordered Enrolled at \_\_\_\_\_

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